

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:15-cr-213-MOC-DCS-13

UNITED STATES OF AMERICA

Vs.

GAVIN JORDAN,

Defendant.

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ORDER

**THIS MATTER** is before the Court on Defendant's pro se Motion for Compassionate Release/Reduction of Sentence. (#570). Defendant, who purportedly suffers from high blood pressure and a heart murmur, seeks early release from prison under 18 U.S.C. § 3582(c)(1)(A) based on the COVID-19 pandemic. The Government has responded in opposition to the motion.

Defendant's motion is denied for the reasons stated in the Government's opposing brief. Specifically, the motion is denied because Defendant, currently incarcerated at FTC Oklahoma in Oklahoma City, Oklahoma, has not shown "exceptional reasons" to support his release based on the COVID-19 pandemic. As the Government notes, Defendant, who purportedly suffers from high blood pressure and a heart murmur,<sup>1</sup> does not suffer from a medical condition that falls into one of the categories warranting a sentence reduction. Additionally, Defendant has not shown that the facility where he is detained is specifically unable to adequately manage COVID-19 or treat him should he contract the virus.

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<sup>1</sup> As the Government notes, Defendant has presented no evidence supporting a diagnosis of either high blood pressure or a heart murmur.

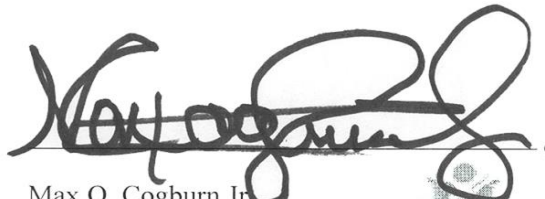
Finally, Defendant also seeks credit for time served while in Costa Rica before his extradition. This request is denied, as the Attorney General (through the Bureau of Prisons), not the Court, is responsible for computing credit for time served under 18 U.S.C. § 3585(b). Furthermore, if Defendant seeks to challenge the Bureau of Prison's computation of his federal sentence he must do so through a writ of habeas corpus under 28 U.S.C. § 2241, filed in his district of confinement.

Having thus considered defendant's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's pro se Motion for Compassionate Release/Reduction of Sentence, (#570), is **DENIED**.

Signed: July 22, 2020



Max O. Cogburn Jr.  
United States District Judge